

JAN 17 2018

CLERK, U.S. DISTRICT CLERK
WESTERN DISTRICT OF TEXAS
BY

	UR BRAD VALORECE
NPROB 22 (Ren, 1965)	TEXAS WESTERN - SAN ANTONIO DOCKET HUNGER (THE CON) CR-13-00679-001 LHK
TRANSFER OF JURISDI	CHON - O OTTOSETHUMBLE-OF
	SAISCRUURA
NAME AND ADDRESS OF PROBATIONS RELIEVED RELEASEE	DISTRICT
Dweyne Kent Singleton	Northern District of California Sen Jose
onejite italia cirajiana:	NAME OF SENTENCING JUDGE
	Lucy H. Koh DATES OF PROBATION FROM TO
	SUPSKYBED RELEASE
offeres Meli Fraud, in violation of 18 U.S.C. § 1341	
The state of the s	FILED
	JAN 1.1 2018
PART 1 - ORDER TRANSPERRING JURISDICTION	
UNITED STATES DISTRICT COURT POR THE	DETRICT OF CALIFORNIA IERN DISTRICT COURT
111 111 1111 1111 1111 1111 1111	SAN JUSE CALIFORNIA
supervised release may be changed by the Districting inquiry of this court.*	expressly consents that the period of probation or ex Court to which this transfer is made without further
12/12/2017	Lucy H. Koh
DAS	United (Seiner Disease) Aufger
This sectance may be deleted in the discretion of the trensferring Cou	4
PART 1-ORDER ACCEPTING JURISDICTION	
UNITED STATES DISTRICT COURT FOR THE WESTERN	DISTRICT OF TEXAS
IT IS HEREBY ORDERED that jurisdiction	on over the above-named probationer/supervised
releasee be accepted and assumed by this Court f	rom and after the coury of this order.
	,
(1 x). x	
1/8/18	6
1/8/18	I hereby certify that the a

instrument is a true and correct copy of the original on file in my office.

ATTEST:

SUSAN Y. SOONG

SUSAN Y. SOONIC Clerk, U.S. District Court Northern District of California

/ Deputy Clerk

Date__

Case 5:13-cr-00579-LHK Document 1 Filed 09/04/13 Page 2 of 5

MELINDA HAAG (CSBN 132612) United States Attorney

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Filed

SEP 0 4 2013

RICHARD W. WIEKING CLERK, U.S. DISTRICT COURT NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

SAN JOSE DIVISION

UNITED STATES OF AMERI

0579 LHK

Plaintiff,

DWAYNE KENT SINGLETON,

Defendant.

VIOLATIONS:

18 U.S.C. § 1343 (Wire Fraud); 18 U.S.C. § 1341 (Mail Fraud)

SAN JOSE VENUE

INDICTMENT

The Grand Jury charges:

COUNTS ONE AND TWO: (18 U.S.C. § 1343 - Wire Fraud)

Beginning in or about 2007, and continuing to in or about January 2010, in the

Northern District of California and elsewhere, the defendant,

DWAYNE KENT SINGLETON,

having knowingly and intentionally devised a material scheme and artifice to defraud and to obtain money by means of materially false and fraudulent pretenses, representations and promises, did for the purpose of executing such a scheme and artifice knowingly cause to be transmitted in interstate commerce by a wire communication certain writings, signs,

INDICTMENT

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signals, and pictures, namely email requesting payments for the benefit of certain vendors correspondence described below:

COUNT	DATE	DESCRIPTION
1	9/8/2008	Email from M.Z. to B.S. "Subject: Vendor Ck Request"
2	9/30/2008	Email from Singleton to B.S. "Subject: hummel"

All in violation of Title 18, United States Code, Section 1343.

COUNTS THREE AND FOUR: (18 U.S.C. § 1341 – Mail Fraud)

2. Beginning in or about 2007, and continuing to in or about January 2010, in the Northern District of California and elsewhere, the defendant,

DWAYNE KENT SINGLETON,

having knowingly and intentionally devised a material scheme and artifice to defraud and to obtain money by means of materially false and fraudulent pretenses, representations and promises, did for the purpose of executing such a scheme and artifice knowingly cause correspondence described below to be mailed and delivered by a commercial interstate carrier:

COUNT	DATE	ITEM SENT	SENT FROM	SENT TO
3	9/10/2008	United American Bank	CALIFORNIA	TEXAS
		Check No. 1177 for \$25,000		
		payable to C.S.		
4	9/30/2008	United American Bank	CALIFORNIA	TEXAS
		Check No. 1189 for \$42,000		
		payable to S.T.W.S.		

INDICTMENT

1	All in violation of Title 18, United States Code, Section 1341.
2	
3	DATED: 9/4/2013 ATRUE BILL
4	(ell Alt
5	FOREPERSON
6	
7	MELINDA HAAG United States Attorney
- 8 9	1. Konglas Wilson
10	J. DOUGLAS WILSON Chief, Criminal Division
11	A managed on to Comm.
12	Approval as to form:
13	
14	ASSISTANT United States Attorney
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	INDICTMENT
	IMDIC LIMEIA I
- 1	$_{\parallel}$

AO 257 (Rev. 6/78)

DEFENDANT INFORMATION RELATIVE TO	A CRIMINALIAGERON, IN U.S. DISTRICT COURT
	A TO THE PART OF T
BY: COMPLAINT INFORMATION INDICTMENT	Traffine Children Court, and/or Judge/Magistrate Bandition
OFFENSE CHARGED SUPERSEDING	NORTHERN DISTRICT OF CALLED CANAL
Counts One and Two:	SAN JOSE DIVISION RICHARD W. WIEKING
Wire Fraud - 18 U.S.C. § 1343 Minor	CLERK, U.S. DISTRICT COURT OFFENDANT - U.S - NORTHERN DISTRICT OF CALIFORNIA
Counts Three and Four:	SANJOSE
Mail Fraud -18 U.S.C. § 1341 meanor	DWAYNE KENT SINGLETON
Felony	DISTRICT COURT NUMBER
PENALTY: (As to each violation) Up to 20 years imprisonment; up to \$\$250,000 fine wice he	3 00579 LHK
amount of gain or loss, whichever is greater up to a year of a supervised release, and \$100 special assessment	P VV J C J LIII DOC
Supervised release, and \$ 100 special observation	DEFENDANT DEFENDANT
	IS NOT IN CUSTODY
PROCEEDING	Has not been arrested, pending outcome this proceeding.
Name of Complaintant Agency, or Person (& Title, if any)	1) X If not detained give date any prior summons was served on above charges
Special Agent Michael Alegre - FBI	
person is awaiting trial in another Federal or State Court, give name of court	2) Is a Fugitive
gita ilaino di tetali	3)
this person/proceeding is transferred from another district	
per (circle one) FRCrp 20, 21, or 40. Show District	IS IN CUSTODY
	4) On this charge
this is a reprosecution of	5) 3 On another conviction
charges previously dismissed which were dismissed on motion	5) On another conviction Federal State
of: DOCKET NO.	6) Awaiting trial on other charges
U.S. ATTORNEY DEFENSE	If answer to (6) is "Yes", show name of institution
this prosecution relates to a	Use 1 If "Yes"
pending case involving this same	Has detainer Lifes give date
defendant MAGISTRATE CASE NO.	Illed
prior proceedings or appearance(s)	DATE OF Month/Day/Year ARREST
before U.S. Magistrate regarding this defendant were recorded under	Or if Arresting Agency & Warrant were not
	DATE TRANSFERRED Month/Day/Year
Name-and-Office of Person Furnishing Information on this form Melinda Haag	TO U.S. CUSTODY
☑ U.S. Attorney ☐ Other U.S. Agency	
Name of Assistant U.S.	This report amends AO 257 previously submitted
Attorney (if assigned) AUSA TIMOTHY J. LUCEY	
PROCESS:	ORMATION OR COMMENTS
SUMMONS X NO PROCESS* WARRANT	Bail Amount:
If Summons, complete following:	* Where defendant previously apprehended on complaint, no new summons or
Arraignment Initial Appearance	warrant needed, since Magistrate has scheduled arraignment
Defendant Address:	
	Date/Time: Before Judge:
Comments:	

Case 5:13-cr-00579-LHK Document 1-1 Filed 09/04/13



United States District Court Northern District of California

CRIMINAL COVER SHEET

Filed

Instructions: Effective January 3, 2012, this Criminal Cover Sheet must be completed and submitted, along with the Defendant Information Form, for each new criminal case.

RICHARD W. WIEKING CLERK, U.S. DISTRICT COURT NORTHERN DISTRICT COLIFORNIA SAN JOSE

Case Name: USA v. DWAYNE KENT SINGLETON	R13 South Transfer 79LHK
Total Number of Defendants: 1 2-7 8 or Does this case involve ONLY charges under 8 U.S.C. § 1	Is This Case Under Seal? more Yes No
Yes No	323 auu/01 1320:
Venue (Per Crim. L.R. 18-1): SF OAK SJ V EUR	MON
Is any defendant charged with a death-penalty-eligible of	Assigned AUSA (Lead Attorney): TIMOTHY J. LUCEY
Is this a RICO Act gang case? Yes No	Date Submitted: September 4, 2013
Comments:	

Save

Print

Clear Form

	Case 5:13-cr-00579-LHK Document 1 Filed 09/04/13 Page 1	ALFO EX OPACI.
No.	CR13 00579 LHK D	FIHE COURT
	UNITED STATES DISTRICT COUR	\mathbf{T}
	NORTHERN DISTRICT OF CALIFORNIA	E-film(ed
•	SAN JOSE DIVISION SEP 0	4 2013
	THE UNITED STATES OF AMERICAN ASTRIC	TRICT COURT TOF CALIFORNIA
	VS. DWAYNE KENT SINGLETON	
•		
	INDICTMENT	
·	SEE ATTACHMENT	
	A true bill.	
	Foreperson	
Filed	ed in open court this 47H day of 571852	
	A.D. 2013	OF.
	UNITED STAITES MAGISTRATE JUI	<u>GE</u>
Bail.	I hereby certify that the annexed instrument is a true and correct copy of the original on file in my office. ATTEST: SUSAN Y. SOONO Clerk, U.S. District Court Northern District of California	MAN NO. CEAS

Deputy Clerk

Date

CLOSED, E-Filing, ProSe

U.S. District Court

California Northern District (San Jose) CRIMINAL DOCKET FOR CASE #: 5:13-cr-00579-LHK-1 Internal Use Only

Case title: USA v. Singleton

Related Case: 5:17-cv-01125-LHK

Date Filed: 09/04/2013

Date Terminated: 01/20/2016

Assigned to: Hon. Lucy H. Koh Referred to: Magistrate Judge Paul

Singh Grewal

Defendant (1)

Dwayne Kent Singleton

TERMINATED: 01/20/2016

represented by Dwayne Kent Singleton

61141-379 PO Box 26010 FCI Beaumont-Camp Unit G/C Beaumont, TX 77720 PRO SE

Douglas I. Horngrad

Attorney at Law
Maybeck Building Four
1736 Stockton Street
San Francisco, CA 94133-2926
415-397-9509
Fax: 415-397-9519
Email: horngrad@sbcglobal.net
LEAD ATTORNEY
ATTORNEY TO BE NOTICED
Designation: Retained

Tad Anthony Nelson,

Law Offices of Tad Nelson and Associates 820 East Main League City, TX 77573

281-280-0100 Fax: 281-316-9208

I hereby certify that the annexed instrument is a true and correct copy of the original on file in my office. ATTEST:

SUSANY, SOONG Clerk, U.S. District Court Northern District of California

Depot Cferk

Email: tad@thenelsonfirm.com ATTORNEY TO BE NOTICED

Designation: Retained

Pending Counts

18:1341 - Mail Fraud (11s)

Disposition

Highest Offense Level (Opening)

Felony

Terminated Counts

18:1343 - Wire Fraud (1-2)

18:1343 - Wire Fraud

(1s-8s)

18:1341 - Mail Fraud

(3-4)

18:1341 - Mail Fraud

(9s-10s)

18:1341 - Mail Fraud

(12s-16s)

Disposition

Highest Offense Level (Terminated)

Felony

Complaints

None

Disposition

Plaintiff

USA

represented by Timothy Joseph Lucey

U. S. Attorney's Office 150 Almaden Boulevard Suite 900 San Jose, CA 95113 (408) 535-5061 Email: timothy.lucey@use

Email: timothy.lucey@usdoj.gov

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

Designation: Assistant US Attorney

Joseph A. Fazioli

U.S. Attorney's Office 150 South Almaden Boulevard Suite 900 San Jose, CA 95113 (408) 535-5595

Email: joseph.fazioli@usdoj.gov

ATTORNEY TO BE NOTICED

Designation: Assistant US Attorney

Date Filed	#	Docket Text
09/04/2013	1	INDICTMENT as to Dwayne Kent Singleton (1) count(s) 1-2, 3-4. (cfeS, COURT STAFF) (Filed on 9/4/2013) (Additional attachment(s) added on 2/19/2014: # 1 Criminal Cover Sheet) (cfeS, COURT STAFF). Modified on 2/19/2014 (cfeS, COURT STAFF). (Entered: 09/05/2013)
09/04/2013	2	ORDER TO SEAL INDICTMENT as to Dwayne Kent Singleton. Signed by Judge Magistrate Judge Howard R. Lloyd on 9/4/2013. (cfeS, COURT STAFF) (Filed on 9/4/2013) (cfeS, COURT STAFF). (Entered: 09/05/2013)
01/15/2014	3	SEALED SUPERSEDING INDICTMENT as to Dwayne Kent Singleton (1) count(s) 1s-8s, 9s-16s. (cfeS, COURT STAFF) (Filed on 1/15/2014) (cfeS, COURT STAFF). (Entered: 01/15/2014)
01/15/2014	4	Order of the Court Sealing Superseding Indictment and Arrest Warrant as to Dwayne Kent Singleton. Signed by Judge Magistrate Judge Paul Singh Grewal on 1/15/14. (cfeS, COURT STAFF) (Filed on 1/15/2014) (cfeS, COURT STAFF). (Entered: 01/15/2014)
01/15/2014		*SEALED* NO Bail Arrest Warrant Issued as to Dwayne Kent Singleton (cfeS, COURT STAFF) (Filed on 1/15/2014) (Entered: 01/15/2014)
02/05/2014	5	CLERKS NOTICE as to Dwayne Kent Singleton Initial Appearance set for 2/11/2014 01:30 PM in Courtroom 2, 5th Floor, San Jose before Magistrate Judge Howard R. Lloyd. (pmcS, COURT STAFF) (Filed on 2/5/2014) (Entered: 02/05/2014)
02/06/2014	<u>6</u>	Rule 5(c)(3)Documents Received from SDTX, Galveston (via Email) as to Dwayne Kent Singleton (cfeS, COURT STAFF) (Filed on 2/6/2014) (Entered: 02/06/2014)
02/10/2014	7	CLERKS NOTICE Continuance of Hearing as to Dwayne Kent Singleton Initial Appearance set for 3/3/2014 08:30 AM before Magistrate Judge Paul Singh Grewal. This is a text only docket entry, there is no

		document associated with this notice. (pmcS, COURT STAFF) (Filed on 2/10/2014) (Entered: 02/10/2014)
02/13/2014	8	STIPULATION AND ORDER as to Dwayne Kent Singleton Initial Appearance set for 2/18/2013 01:30 PM in Courtroom 2, 5th Floor, San Jose before Magistrate Judge Howard R. Lloyd Signed by Judge Magistrate Judge Howard R. Lloyd on 2/13/14. (pmcS, COURT STAFF) (Filed on 2/13/2014) (Entered: 02/13/2014)
02/13/2014		Set/Reset Hearing re <u>8</u> Stipulation and Order, Set Hearings,, Initial Appearance set for 2/18/2014 01:30 PM in Courtroom 2, 5th Floor, San Jose before Magistrate Judge Howard R. Lloyd. (pmcS, COURT STAFF) (Filed on 2/13/2014) (Entered: 02/13/2014)
02/18/2014	9	Minute Entry for proceedings held before Magistrate Judge Howard R. Lloyd:Initial Appearance; Attorneys Douglas I. Horngrad, Tad Nelson present as to Dwayne Kent Singleton held on 2/18/2014, Arraigned NOT GUILTY as to Dwayne Kent Singleton (1) Count 1s-8s,1-2,3-4,9s-16s held on 2/18/2014. Motion to UNSEAL Indictment is GRANTED.Bond Status Hearing set for 3/11/2014 01:30 PM in Courtroom 2, 5th Floor, San Jose before Magistrate Judge Howard R. Lloyd. Status Conference set for 4/2/2014 09:30 AM in Courtroom 8, 4th Floor, San Jose before Hon. Lucy H. Koh. (Court Reporter FTR.) (cfeS, COURT STAFF) (Filed on 2/18/2014) (Entered: 02/19/2014)
02/18/2014		CASE DESIGNATED for Electronic Filing. (cfeS, COURT STAFF) (Filed on 2/18/2014) (Entered: 02/21/2014)
02/28/2014	<u>10</u>	NO Bail Arrest Warrant Returned Executed on 2/3/14 as to Dwayne Kent Singleton. (cfeS, COURT STAFF) (Filed on 2/28/2014) (Entered: 03/04/2014)
03/07/2014	11	***E-FILED IN ERROR, PLS DOCKET 12 ***, Application for Pro Hac Vice Attorney: Tad Nelson. (Filing fee \$ 305, receipt number 0971-8434816.) by Dwayne Kent Singleton. Motion Hearing set for 4/2/2014 09:30 AM in Courtroom 2, 5th Floor, San Jose before Magistrate Judge. (Nelson, Tad) (Filed on 3/7/2014) ***(This form is blank)***Modified on 3/10/2014 (cfeS, COURT STAFF). Modified on 3/11/2014 (cfeS, COURT STAFF). (Entered: 03/07/2014)
03/10/2014	12	Application for Admission of Attorney Pro Hac Vice to Appear Attorney: Tad Anthony Nelson. (Filing fee \$ 305, receipt number 0971-8434816.) Filing fee previously paid on 3/7/2014 by Dwayne Kent Singleton. Motion Hearing set for 4/2/2014 09:30 AM in Courtroom 2, 5th Floor, San Jose before Magistrate Judge Howard R. Lloyd. (Nelson, Tad) (Filed on 3/10/2014) Modified on 3/11/2014 (cfeS, COURT STAFF). (Entered: 03/10/2014)

03/10/2014	13	STIPULATION WITH PROPOSED ORDER for Rescheduling Parties' Appearance as to Dwayne Kent Singleton. (Nelson, Tad) (Filed on 3/10/2014) Modified on 3/11/2014 (cfeS, COURT STAFF). Modified on 3/11/2014 (cfeS, COURT STAFF). (Entered: 03/10/2014)
03/10/2014	14	ORDER RESCHEDULING PARTIES' APPEARANCE, granting 13 Stipulation as to Dwayne Kent Singleton (1). Signed by Judge Magistrate Judge Howard R. Lloyd on 3/10/14. (pmc, COURT STAFF) (Entered: 03/10/2014)
03/10/2014		Set/Reset Hearing re 14 Order on Stipulation Bond Hearing set for 3/25/2014 01:30 PM in Courtroom 2, 5th Floor, San Jose before Magistrate Judge Howard R. Lloyd. (pmc, COURT STAFF) (Filed on 3/10/2014) (Entered: 03/10/2014)
03/17/2014	15	ORDER granting 12 Application for Admission <i>Pro Hac Vice</i> Tad Anthony Nelson as to Dwayne Kent Singleton (1). Signed by Judge Magistrate Judge Howard R. Lloyd on 3/14/14. (cfeS, COURT STAFF) (Entered: 03/17/2014)
03/21/2014	<u>16</u>	STIPULATION WITH PROPOSED ORDER for Rescheduling Parties' Appearancefiled by Dwayne Kent Singleton. (Nelson, Tad) (Filed on 3/21/2014) Modified on 3/27/2014 (cfeS, COURT STAFF). (Entered: 03/21/2014)
03/21/2014	<u>17</u>	ORDER STIPULATION FOR RESCHEDULING PARTIES' APPEARANCE, granting <u>16</u> Stipulation as to Dwayne Kent Singleton (1). Signed by Judge Magistrate Judge Howard R. Lloyd on 3/21/14. (pmc, COURT STAFF) Modified on 3/27/2014 (cfeS, COURT STAFF). (Entered: 03/21/2014)
03/21/2014		Set/Reset Hearing re 17 Order on Stipulation Bond Hearing set for 4/1/2014 01:30 PM in Courtroom 2, 5th Floor, San Jose before Magistrate Judge Howard R. Lloyd. (pmc, COURT STAFF) (Filed on 3/21/2014) (Entered: 03/21/2014)
03/27/2014	18	CLERKS NOTICE as to Dwayne Kent Singleton Bond Hearing set for 4/2/2014 01:30 PM in Courtroom 2, 5th Floor, San Jose before Magistrate Judge Howard R. Lloyd. This is a text only docket entry, there is no document associated with this notice (pmc, COURT STAFF) (Filed on 3/27/2014) (Entered: 03/27/2014)
04/02/2014	<u>19</u>	Minute Entry for proceedings held before Judge Magistrate Judge Howard R. Lloyd:Bond Hearing as to Dwayne Kent Singleton held on 4/2/2014 Bond Hearing set for 4/30/2014 01:30 PM before Magistrate Judge Howard R. Lloyd. (Court Reporter ftr.) (pmc, COURT STAFF) (Filed on 4/2/2014) (Entered: 04/02/2014)
04/02/2014	20	Minute Entry for proceedings held before Judge Hon. Lucy H. Koh:Status Conference as to Dwayne Kent Singleton held on 4/2/2014 Status

		Conference set for 6/4/2014 09:30 AM in Courtroom 8, 4th Floor, San Jose before Hon. Lucy H. Koh. (Court Reporter Lee-Anne Shortridge.) (mpb, COURT STAFF) (Filed on 4/2/2014) (Entered: 04/03/2014)
04/02/2014	<u>21</u>	ORDER Setting Conditions of Release as to Dwayne Kent Singleton (1) \$100,000 BOND (Secured by real property). Signed by Judge Magistrate Judge Howard R. Lloyd on 4/2/14. (pmc, COURT STAFF) (Filed on 4/2/2014) Modified on 4/14/2014 (cfeS, COURT STAFF). (Entered: 04/14/2014)
04/25/2014	22	STIPULATION WITH PROPOSED ORDER for Rescheduling Parties' Appearance filed by Dwayne Kent Singleton. (Nelson, Tad) (Filed on 4/25/2014) Modified on 4/30/2014 (cfeS, COURT STAFF). (Entered: 04/25/2014)
04/25/2014	23	STIPULATION and ORDER FOR RESCHEDULING PARTIES' APPEARANCE, granting <u>22</u> as to Dwayne Kent Singleton (1). Signed by Judge Magistrate Judge Howard R. Lloyd on 4/25/14. (pmc, COURT STAFF) Modified on 4/30/2014 (cfeS, COURT STAFF). (Entered: 04/25/2014)
04/25/2014		Set/Reset Hearing re 23 Order on Stipulation Bond Hearing set for 5/21/2014 01:30 PM in Courtroom 2, 5th Floor, San Jose before Magistrate Judge Howard R. Lloyd. (pmc, COURT STAFF) (Filed on 4/25/2014) (Entered: 04/25/2014)
05/30/2014	24	STIPULATION WITH PROPOSED ORDER Rescheduling Parties' Appearancefiled by Dwayne Kent Singleton. (Nelson, Tad) (Filed on 5/30/2014) Modified on 6/2/2014 (cfeS, COURT STAFF). (Entered: 05/30/2014)
05/30/2014	25	STIPULATION WITH PROPOSED ORDER <i>Rescheduling Parties' Appearance</i> filed by Dwayne Kent Singleton. (Nelson, Tad) (Filed on 5/30/2014) Modified on 6/2/2014 (cfeS, COURT STAFF). (Entered: 05/30/2014)
06/03/2014	<u>26</u>	STIPULATION AND ORDER for Rescheduling Parties' Appearance, granting 25 Stipulation as to Dwayne Kent Singleton (1); finding as moot 24 Stipulation as to Dwayne Kent Singleton (1). Signed by Judge Hon. Lucy H. Koh on 6/3/14. (mpb, COURT STAFF) Modified on 6/4/2014 (cfeS, COURT STAFF). (Entered: 06/03/2014)
06/03/2014		Set/Reset Hearing re 26 Order on Stipulation, Status Conference set for 10/8/2014 09:30 AM in Courtroom 8, 4th Floor, San Jose before Hon. Lucy H. Koh. (mpb, COURT STAFF) (Filed on 6/3/2014) (Entered: 06/03/2014)
10/08/2014	27	Minute Entry for proceedings held before Judge Hon. Lucy H. Koh: Status Conference as to Dwayne Kent Singleton held on 10/8/2014.

		Further Status Conference set for 12/10/2014 at 9:30 AM in Courtroom 8, 4th Floor, San Jose before Hon. Lucy H. Koh. Time is excluded from 10/8/2014 through 12/10/2014. (Court Reporter Lee-Anne Shortridge.) (sms, COURT STAFF) (Filed on 10/8/2014) (Entered: 10/09/2014)
12/10/2014	28	Minute Entry for proceedings held before Judge Hon. Lucy H. Koh: Status Conference as to Dwayne Kent Singleton held on 12/10/2014. Trial Setting Hearing set for 1/21/2015 at 9:30 AM in Courtroom 8, 4th Floor, San Jose before Hon. Lucy H. Koh. (Court Reporter Irene Rodriguez.) (sms, COURT STAFF) (Filed on 12/10/2014) (Entered: 12/11/2014)
12/17/2014	<u>29</u>	STIPULATION WITH PROPOSED ORDER For Rescheduling Parties' Appearance. (Nelson, Tad) (Filed on 12/17/2014) Modified text match title of document on 12/18/2014 (srmS, COURT STAFF). Modified on 3/17/2015 (sms, COURT STAFF). (Entered: 12/17/2014)
01/21/2015	30	Minute Entry for proceedings held before Judge Hon. Lucy H. Koh: Trial Setting Hearing as to Dwayne Kent Singleton held on 1/21/2015. <i>Interim Status Conference or Change of Plea Hearing set for 2/11/2015 at 9:30 AM in Courtroom 8, 4th Floor, San Jose before Hon. Lucy H. Koh.</i> (Court Reporter Lee-Anne Shortridge.) (sms, COURT STAFF) (Filed on 1/21/2015) (Entered: 01/22/2015)
02/10/2015	31	STIPULATION WITH PROPOSED ORDER filed by USA as to Dwayne Kent Singleton. (Lucey, Timothy) (Filed on 2/10/2015) Modified on 2/10/2015 (cfe, COURT STAFF). (Entered: 02/10/2015)
02/10/2015	32	Order by Hon. Lucy H. Koh granting 31 Stipulation to continue Change of Plea / Trial Setting as to Dwayne Kent Singleton (1). This matter is continued to March 18, 2015 at 9:30AM for a Change of Plea / Trial Setting. (sms, COURT STAFF) (Filed on 2/10/2015) (Entered: 02/10/2015)
02/10/2015		Calendar amended, re <u>32</u> : Change of Plea Hearing set for 3/18/2015 at 9:30 AM in Courtroom 8, 4th Floor, San Jose before Hon. Lucy H. Koh. (sms, COURT STAFF) (Filed on 2/10/2015) (Entered: 02/10/2015)
03/13/2015	33	STIPULATION WITH PROPOSED ORDER filed by USA as to Dwyane Kent Singleton. (Lucey, Timothy) (Filed on 3/13/2015) Modified on 3/16/2015 (cfeS, COURT STAFF). (Entered: 03/13/2015)
03/16/2015	34	Order by Hon. Lucy H. Koh DENYING <u>33</u> Stipulation to continue change of plea date as to Dwayne Kent Singleton (1). **This matter remains on calendar as scheduled.** (sms, COURT STAFF) (Filed on 3/16/2015) (Entered: 03/16/2015)
03/18/2015	35	Minute Entry for proceedings held before Judge Hon. Lucy H. Koh: Trial Setting Hearing as to Dwayne Kent Singleton held on 3/18/2015 from 9:56-10:04AM. Pretrial briefing schedule set. **New trial start date: Monday, June 1, 2015 at 9:00AM.** This matter is now set for a Change

7 of 14

		of Plea Hearing or an Interim Status Conference on 4/15/2015 at 9:30 AM in Courtroom 8, 4th Floor, San Jose before Hon. Lucy H. Koh. (Court Reporter Lee-Anne Shortridge.) (sms, COURT STAFF) (Filed on 3/18/2015) (Entered: 03/19/2015)
04/15/2015	36	Minute Entry for proceedings held before Judge Hon. Lucy H. Koh:Status Conference as to Dwayne Kent Singleton held on 4/15/2015 from 9:55-9:59AM. The Parties shall return on May 27, 2015 at 9:30AM for their previously scheduled Pretrial Conference. (Court Reporter Summer Fisher.) (sms, COURT STAFF) (Filed on 4/15/2015) (Entered: 04/16/2015)
04/17/2015	37	NOTICE OF ATTORNEY APPEARANCE Joseph A. Fazioli appearing for USA. (Fazioli, Joseph) (Filed on 4/17/2015) (Entered: 04/17/2015)
04/28/2015	38	**CLERK'S NOTICE SETTING A CHANGE OF PLEA HEARING** The parties have advised the Court that a Plea Agreement has been reached and is ready to be entered. Therefore, the Court sets a Change of Plea Hearing for Wednesday, April 29, 2015 at 9:30AM. ***This is a text only-notice; there is no document associated with this entry*** (sms, COURT STAFF) (Filed on 4/28/2015) Modified on 4/29/2015 (cfeS, COURT STAFF). (Entered: 04/28/2015)
04/29/2015	<u>39</u>	Minute Entry for proceedings held before Judge Hon. Lucy H. Koh: Change of Plea Hearing as to Dwayne Kent Singleton held on 4/29/2015, Plea entered by Dwayne Kent Singleton (1) Guilty Count 11s. A Plea Agreement is executed in open court. The Court VACATES all existing pre-trial and trial deadlines and hearing dates. Sentencing set for 8/26/2015 09:30 AM in Courtroom 8, 4th Floor, San Jose before Hon. Lucy H. Koh. (Court Reporter Summer Fisher.) (cfeS, COURT STAFF) (Filed on 4/29/2015) (Entered: 04/30/2015)
04/29/2015	<u>40</u>	PLEA AGREEMENT as to Dwayne Kent Singleton (sms, COURT STAFF) (Filed on 4/29/2015) (Entered: 04/30/2015)
08/19/2015	41	STIPULATION WITH PROPOSED ORDER for Scheduling Parties' Appearance as to Dwayne Kent Singleton . (Nelson, Tad) (Filed on 8/19/2015) Modified on 8/20/2015 (cfeS, COURT STAFF). (Entered: 08/19/2015)
08/20/2015	42	Order granting 41 Stipulation Rescheduling Parties' Appearance as to Dwayne Kent Singleton. Signed by Hon. Lucy H. Koh on 8/20/2015. (sms, COURT STAFF) (Filed on 8/20/2015) (Entered: 08/20/2015)
08/20/2015		ECF calendar amended, re <u>42</u> : Sentencing continued to 9/23/2015 at 9:30 AM in Courtroom 8, 4th Floor, San Jose before Hon. Lucy H. Koh. (sms, COURT STAFF) (Filed on 8/20/2015) (Entered: 08/20/2015)

09/10/2015	43	**CLERK'S NOTICE REGARDING THE START-TIME OF JUDGE KOH'S CRIMINAL CALENDAR** Effective immediately, all Wednesday criminal matters before the Honorable Lucy H. Koh will be heard at 9:45 a.m. If the parties have previously conferred with Judge Koh's Courtroom Deputy then they should appear 10 minutes prior to the start of court. If parties have not conferred with the Courtroom Deputy then they should appear 30 minutes prior to the start of court. (This is a text-only notice; there is no document associated with this entry.) (sms, COURT STAFF) (Filed on 9/10/2015) (Entered: 09/10/2015)
09/23/2015	44	Minute Entry for proceedings held before Judge Hon. Lucy H. Koh: Status Conference as to Dwayne Kent Singleton held on 9/23/2015. Sentencing set for 1/20/2016 at 9:45 AM in Courtroom 8, 4th Floor, San Jose before Hon. Lucy H. Koh. (Court Reporter Lee-Anne Shortridge.) (sms, COURT STAFF) (Filed on 9/23/2015) (Entered: 09/23/2015)
01/19/2016	<u>46</u>	Letter to the Court to Invoke 18 U.S.C. 3664(d)(5) as to calculation of restitution from AUSA Timothy J. Lucey as to Dwayne Kent Singleton (sms, COURT STAFF) (Filed on 1/19/2016) Modified on 1/20/2016 (cfeS, COURT STAFF). (Entered: 01/19/2016)
01/19/2016	48	Sealed Document (cfeS, COURT STAFF) (Filed on 1/19/2016) (Entered: 01/21/2016)
01/19/2016	49	Sealed Document (cfeS, COURT STAFF) (Filed on 1/19/2016) (Entered: 01/21/2016)
01/19/2016	50	Sealed Document (cfeS, COURT STAFF) (Filed on 1/19/2016) (Entered: 01/21/2016)
01/19/2016	51	Sealed Document (cfeS, COURT STAFF) (Filed on 1/19/2016) (Entered: 01/21/2016)
01/19/2016	52	Sealed Document (cfeS, COURT STAFF) (Filed on 1/19/2016) (Entered: 01/21/2016)
01/20/2016	47	Sealed Document (cfeS, COURT STAFF) (Filed on 1/20/2016) (Entered: 01/21/2016)
01/20/2016		Set Hearing - 47: Restitution Hearing set for 4/13/2016 09:45 AM in Courtroom 8, 4th Floor, San Jose before Hon. Lucy H. Koh. (cfeS, COURT STAFF) (Filed on 1/20/2016) (Entered: 01/21/2016)
01/26/2016	53	Sealed Document (cfeS, COURT STAFF) (Filed on 1/26/2016) (Entered: 01/26/2016)
03/17/2016	54	**CLERK'S SCHEDULING NOTICE** Due to a calendaring conflict, the 4/13/2016 restitution hearing as to Dwayne Kent Singleton is HEREBY CONTINUED to 4/20/2016 at 9:45 AM in Courtroom 8, 4th Floor, San Jose before Hon. Lucy H. Koh. (This is a text-only entry

		generated by the court. There is no document associated with this entry.) (sms, COURT STAFF) (Filed on 3/17/2016) (Entered: 03/17/2016)
04/15/2016	55	Sealed Document (cfeS, COURT STAFF) (Filed on 4/15/2016) (Entered: 04/18/2016)
04/15/2016	56	Sealed Document (cfeS, COURT STAFF) (Filed on 4/15/2016) (Entered: 04/18/2016)
04/19/2016	57	**CLERK'S NOTICE as to Dwayne Kent Singleton** Pursuant to the parties' restitution stipulation, the 4/20/2016 hearing is vacated. An Amended Judgment will be filed. (This is a text-only entry generated by the court. There is no document associated with this entry.) (sms, COURT STAFF) (Filed on 4/19/2016) (Entered: 04/19/2016)
04/21/2016	58	Sealed Document (cfeS, COURT STAFF) (Filed on 4/21/2016) (Entered: 05/10/2016)
01/30/2017	<u>59</u>	Received Document: Copy Request by Dwayne Kent Singleton (cfeS, COURT STAFF) (Filed on 1/30/2017) (Entered: 01/30/2017)
02/21/2017	<u>60</u>	Motion For Expedited Disposition of All These Matters; Motion for Production of Records (FRCiv.P 79); Motion for Fed.R.Crim.P.(35 b) - Reduction of Sentence (6 mos.) by Dwayne Kent Singleton. (cfeS, COURT STAFF) (Filed on 2/21/2017) (Entered: 02/22/2017)
02/21/2017		Part of Docket <u>60</u> : MOTION to Vacate under 28 U.S.C. 2255 by Dwayne Kent Singleton. (cfeS, COURT STAFF) (Filed on 2/21/2017) Civil case 5:17-cv-01125-LHK opened. (Entered: 03/06/2017)
03/06/2017	<u>61</u>	MOTION to Vacate by Dwayne Kent Singleton. (cfeS, COURT STAFF) (Filed on 3/6/2017) (Entered: 03/07/2017)
03/06/2017	<u>62</u>	MOTION for an Order by Dwayne Kent Singleton. (cfeS, COURT STAFF) (Filed on 3/6/2017) (Entered: 03/07/2017)
03/29/2017	<u>63</u>	CLERK'S NOTICE RE: COURT DEADLINE FOR GOVERNMENT TO FILE A RESPONSE TO DEFENDANTS MOTION. Response due 4/28/17. (Attachments: # 1 Certificate/Proof of Service) (iym, COURT STAFF) (Filed on 3/29/2017) (Entered: 03/29/2017)
04/07/2017	<u>64</u>	TRANSCRIPT ORDER for Court Reporter Summer Fisher (Lucey, Timothy) (Filed on 4/7/2017) (Entered: 04/07/2017)
04/13/2017	<u>65</u>	Ex Parte Application and [Proposed] Order to Release Transcripts and Other Documents to the United States by USA as to Dwayne Kent Singleton. (Lucey, Timothy) (Filed on 4/13/2017) Modified on 4/14/2017 (cfeS, COURT STAFF). (Entered: 04/13/2017)
04/14/2017	<u>66</u>	Order Denying <u>65</u> Ex Parte Application and Order to Release Transcripts and Other Documents to the United States without

		prejudice. Signed by Lucy H. Koh 4/14/17. (Attachments: # 1 Certificate/Proof of Service)(iym, COURT STAFF) (Filed on 4/14/2017) Modified on 4/15/2017 (cfeS, COURT STAFF). (Entered: 04/14/2017)
04/17/2017	67	Transcript of Proceedings as to Dwayne Kent Singleton held on 04/29/2015, before Judge Lucy H. Koh. Court Reporter/Transcriber Summer Fisher, telephone number 408-288-6150 summer_fisher@cand.uscourts.gov. Per General Order No. 59 and Judicial Conference policy, this transcript may be viewed only at the Clerk's Office public terminal or may be purchased through the Court Reporter/Transcriber until the deadline for the Release of Transcript Restriction. After that date it may be obtained through PACER. Any Notice of Intent to Request Redaction, if required, is due no later than 5 business days from date of this filing. Release of Transcript Restriction set for 7/17/2017. (Related documents(s) 64) (Fisher, Summer) (Filed on 4/17/2017) (Entered: 04/17/2017)
04/20/2017	68	MOTION United States Motion for Administrative Relief; [Proposed] Order by USA as to Dwayne Kent Singleton. (Attachments: # 1 Exhibit A, # 2 Declaration of Timothy J. Lucey, # 3 Certificate/Proof of Service) (Lucey, Timothy) (Filed on 4/20/2017) (Entered: 04/20/2017)
04/24/2017	<u>69</u>	Order granting <u>68</u> Plaintiff's Motion for Administrative Relief as to Dwayne Kent Singleton (1). Signed by Hon. Lucy H. Koh 4/24/17. (Attachments: # <u>1</u> Certificate/Proof of Service)(iym, COURT STAFF) (Filed on 4/24/2017) (Entered: 04/24/2017)
04/25/2017	70	TRANSCRIPT ORDER for Court Reporter Lee-Anne Shortridge (Lucey, Timothy) (Filed on 4/25/2017) (Entered: 04/25/2017)
04/28/2017	71	SEALED Transcript of Proceedings as to Dwayne Kent Singleton held on January 20, 2016, before Judge Lucy H. Koh. Court Reporter/Transcriber Lee-Anne Shortridge, telephone number 408-287-4580. (dhmS, COURT STAFF) (Filed on 4/28/2017) (Entered: 04/28/2017)
04/28/2017	72	PURSUANT TO ORDER 82: DOCUMENT(S) 72-1 TO 72-3 REMOVED ON 5/31/2017 * Exhibits in Support of United States Motion to Dismiss and Response to Defendants Petitions to Vacate his SentencePursuant to 28 U.S.C. § 2255 by USA as to Dwayne Kent Singleton re 61 MOTION to Vacate (Attachments: # 1 Exhibit 1, # 2 Exhibit 2, # 3 Certificate/Proof of Service)(Lucey, Timothy) (Filed on 4/28/2017) Modified on 5/25/2017 (cfeS, COURT STAFF). (jy, COURT STAFF). Modified on 5/31/2017 (cfeS, COURT STAFF). (Entered: 04/28/2017)
04/28/2017	73	MOTION to Dismiss and Response to Defendant's Petition to Vacate Sentence Pursuant to 28 USC 2255 by USA as to Dwayne Kent Singleton. (Attachments: # 1 Certificate/Proof of Service)(Lucey,

		Timothy) (Filed on 4/28/2017) (Entered: 04/28/2017)
05/02/2017	<u>74</u>	ERRATA Re: United States' 73 MOTION to Dismiss and Response to Defendant's Petitions to Vacate His Sentence Pursuant to 28 USC 2255 (Errata) by USA as to Dwayne Kent Singleton. (Attachments: # 1 Errata, # 2 Certificate/Proof of Service)(Lucey, Timothy) (Filed on 5/2/2017)(Not a Motion) Modified on 5/3/2017 (cfeS, COURT STAFF). (Entered: 05/02/2017)
05/02/2017	<u>75</u>	AMENDED ERRATA Re: United States' 73 Motion to Dismiss and Response to Defendant's Petitions to Vacate His Sentence Pursuant to 28 USC 2255 (Amended Errata) by USA as to Dwayne Kent Singleton. (Attachments: # 1 Errata, # 2 Certificate/Proof of Service)(Lucey, Timothy) (Filed on 5/2/2017) (Not a Motion) Modified on 5/3/2017 (cfeS, COURT STAFF). (Entered: 05/02/2017)
05/03/2017		Electronic Filing Error. Incorrect event used. These are NOT motions, [err101] Corrected by Clerk's Office. No further action is necessary. Re: 74 & 75 MOTION to Dismiss and Response to Defendant's Petitions to Vacate His Sentence Pursuant to 28 USC 2255 (Amended Errata) filed by USA (cfeS, COURT STAFF) (Filed on 5/3/2017) (Entered: 05/03/2017)
05/03/2017	76	Sealed Document (cfeS, COURT STAFF) (Filed on 5/3/2017) (Entered: 05/04/2017)
05/08/2017	77	Sealed Document (cfeS, COURT STAFF) (Filed on 5/8/2017) (Entered: 05/08/2017)
05/16/2017	<u>78</u>	MOTION for Leave to File & [Proposed] Order by Dwayne Kent Singleton. (cfeS, COURT STAFF) (Filed on 5/16/2017) (Entered: 05/17/2017)
05/26/2017	<u>79</u>	MOTION to Remove Incorrectly Filed Document in Connection with United States' Motion to Dismiss and Response to Defendant's Petitions to Vacate his Sentence Pursuant to 28 U.S.C. § 2255; Proposed Order by USA as to Dwayne Kent Singleton. (Lucey, Timothy) (Filed on 5/26/2017) (Entered: 05/26/2017)
05/26/2017	<u>80</u>	Exhibits 1 in Support of United States Motion to Dismiss and Response to Defendants Petitions to Vacate his Sentence Purusant to 28 U.S.C. § 2255 by USA as to Dwayne Kent Singleton re 79 MOTION to Remove Incorrectly Filed Document in Connection with United States' Motion to Dismiss and Response to Defendant's Petitions to Vacate his Sentence Pursuant to 28 U.S.C. § 2255; Proposed Order (Attachments: # 1 Exhibit 1)(Lucey, Timothy) (Filed on 5/26/2017) (Entered: 05/26/2017)
05/26/2017	<u>81</u>	Identification of Transcripts <i>Pursuant to Habeas Local Rule 2254</i> by USA as to Dwayne Kent Singleton (Lucey, Timothy) (Filed on 5/26/2017) Modified on 5/30/2017 (cfeS, COURT STAFF). (Entered:

_		05/26/2017)
05/26/2017	<u>82</u>	Order granting 79 Motion to Remove Incorrectly Filed Document as to Dwayne Kent Singleton (1). Signed by Hon. Lucy H. Koh 5/26/17.(iym, COURT STAFF) (Filed on 5/26/2017) (Additional attachment(s) added on 5/30/2017: # 1 Certificate/Proof of Service) (iym, COURT STAFF). (Entered: 05/26/2017)
05/30/2017	83	Sealed Document (cfeS, COURT STAFF) (Filed on 5/30/2017) (Entered: 05/31/2017)
06/30/2017	<u>84</u>	MOTION for Leave to by Dwayne Kent Singleton. (cfeS, COURT STAFF) (Filed on 6/30/2017) (Entered: 06/30/2017)
07/03/2017	<u>85</u>	Received Document: Same as <u>84</u> filed by Dwayne Kent Singleton by Dwayne Kent Singleton (cfeS, COURT STAFF) (Filed on 7/3/2017) (Motion, was not signed) (Entered: 07/03/2017)
10/02/2017	<u>86</u>	PAYMENT RECORD CARD: Payment of Special Assessment Paid in Full in the amount of \$100.00 paid on 5/9/17 on behalf of Dwayne Kent Singleton (cfeS, COURT STAFF) (Filed on 10/2/2017) (Entered: 10/02/2017)
12/04/2017	<u>87</u>	Probation Form 12 by Amy Rizor as to Dwayne Kent Singleton. The Court modifies the conditions of probation. Signed by Judge Lucy H. Koh on 12/4/2017. (iym, COURT STAFF) (Filed on 12/4/2017) (Entered: 12/04/2017)
12/04/2017	88	ORDER Denying as Moot 60 Motion to Expedite as to Dwayne Kent Singleton (1); Denying as Moot 60 Motion as to Dwayne Kent Singleton (1); Denying as Moot 60 Motion to Produce as to Dwayne Kent Singleton (1); Denying as Moot 60 Motion to Reduce Sentence as to Dwayne Kent Singleton (1); Denying as Moot [] Motion to Vacate (2255) as to Dwayne Kent Singleton (1); Denying as Moot 61 Motion to Vacate as to Dwayne Kent Singleton (1); Denying as Moot 62 Motion as to Dwayne Kent Singleton (1); Denying as Moot 73 Motion to Dismiss as to Dwayne Kent Singleton (1); Denying as Moot 78 Motion for Leave to File as to Dwayne Kent Singleton (1); Denying as Moot 84 Motion for an Evidentiary Hearing as to Dwayne Kent Singleton (1) Signed by Judge Lucy H. Koh on 12/4/17. (lhklc1, COURT STAFF) Civil Case 5:17-cv-01125-LHK closed. (Additional attachment(s) added on 12/5/2017: # 1 Certificate/Proof of Service) (iym, COURT STAFF). (Entered: 12/04/2017)
01/11/2018	<u>89</u>	Probation Form 22 to WDTX, San Antonio as to Dwayne Kent Singleton. Signed by Judge Lucy H. Koh on 12/12/17. (cfeS, COURT STAFF) (Filed on 1/11/2018) (Entered: 01/11/2018)

01/11/2018		Mailed Probation transfer documents to WDTX, San Antonio as to Dwayne Kent Singleton: (cfeS, COURT STAFF) (Filed on 1/11/2018) (Entered: 01/11/2018)
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RECEIVED

JAN 1 7 2018

UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF CALIFORNIA

280 South 1st Street San Jose, CA 95113

CLERK, U.S. DISTRICT CLERK
WESTERN DISTRICT OF TEXAS
BY

DEPUTY

www.cand.uscourts.gov

Susan Y. Soong Clerk of Court

General Court Number 408-535-5363

January 11, 2018

Clerk's Office - Western District of Texas

655 East Cesar E. Chavez Blvd, Room G-65, San Antonio, TX 78206

Case Number: CR 13-00579-LHK (You Figure # 8 CR 0 0 3 6

Case Title: USA v. Dwayne Kent Singleton

Dear Clerk:

Pursuant to order transferring the jurisdiction of probation in the above-captioned case, transmitted herewith are certified copies of:

- 1. Indictment/Information
- 2. Transferral Order
- 3. Judgment (Sealed Document)
- 4. Probation Transfer
- 5. Docket Sheet

Please acknowledge receipt of the above document on the copy of this form.

Very Truly Yours,

CR. Case Systems Administrator